

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

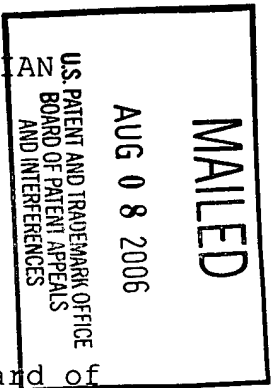
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte JILL MCFADDEN, EARLY BARDSLEY and ROBERT GARABEDIAN

Application No. 09/097,023

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER



This application was received electronically at the Board of Patent Appeals and Interferences (BPAI) on August 2, 2006. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are outlined below:

The Appeal Brief received by the USPTO on May 16, 2005, is deficient because the content under the heading "STATUS OF CLAIMS," fails to identify the claims that are being appealed. Further, the Appeal Brief received May 16, 2005 is missing a required heading. The missing heading is:

(1) the "RELATED PROCEEDINGS APPENDIX," as set forth in 37 CFR § 41.37(c)(1)(x).

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Correction is required with respect to the above matters.

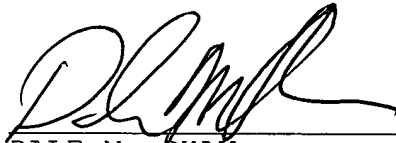
Accordingly, it is

**ORDERED** that the Application is returned to the  
Examiner:

- to have the Appellants submit a Supplemental Appeal Brief in compliance with 37 CFR § 41.37(c)(1)(iii) and 37 CFR § 41.37(c)(1)(x); and
- for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:



DALE M. SHAW

Deputy Chief Appeals Administrator  
(571) 272-9797

Application No. 09/097,023

*CROMPTON, SEAGER & TUFTE, LLC*  
*1221 NICOLLET AVENUE*  
*SUITE 800*  
*MINNEAPOLIS, MN 55403-2420*

DMS/hh